

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

BRENT RAY BREWER,

Petitioner,

V.

**WILLIAM STEPHENS,
Director, Criminal Institutions
Division, Texas Department of
Criminal Justice,**

Respondent.

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CIVIL ACTION NO. 2:15-CV-50-J

CAPITAL HABEAS CORPUS

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE
AMENDED PETITION FOR WRIT OF HABEAS CORPUS**

Petitioner Brent Ray Brewer respectfully requests an additional 30 days to file his Amended Petition for Writ of Habeas Corpus. In support of this motion, Petitioner avers as follows:

On August 3, 2015, Petitioner filed his Petition for Writ of Habeas Corpus.

ECF No. 19. Petitioner contemporaneously filed a motion requesting 180 days to amend his petition. ECF No. 20.

This Court granted Petitioner's request in part, granting Petitioner 90 days to amend his petition. Petitioner's petition is currently due on or before November 2, 2015.

Counsel for Petitioner have worked diligently to continue to investigate and develop the claims for relief contained in his Petition for Writ of Habeas Corpus. Undersigned counsel has retained experts who have evaluated Mr. Brewer as part of their investigation. Counsel has worked quickly to retain these experts, prepare materials for their review and arrange appropriate conditions for evaluation, including access to Mr. Brewer. While these experts have conducted in-person evaluations of Mr. Brewer, they have informed counsel they require additional time to formulate their expert opinions on crucial matters and cannot complete their final reports by November 2. Counsel further requires time to consult with these experts about their conclusions and incorporate their findings into Petitioner's Amended Petition for Writ of Habeas Corpus.

Further, the Supreme Court of the United States recently granted a writ of certiorari in one of the FCDO's cases, *Terrance Williams v. Pennsylvania*, No. 15-5040. Merits briefing in this case must be filed on or before November 16. In light of this grant of certiorari and the sudden requirement of additional resources, counsel requires additional time to adequately develop and prepare Petitioner's Amended Petition for Writ of Habeas Corpus.

Undersigned counsel has discussed this request with counsel for Respondents, who have indicated they are not opposed.

WHEREFORE, for the foregoing reasons, Petitioner respectfully requests an additional thirty (30) days to file his Amended Petition for Writ of Habeas Corpus.

Respectfully submitted,

/s/ Philip Alan Wischkaemper
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/s/ Peter Walker
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Dated: October 26, 2015

CERTIFICATE OF SERVICE

I hereby certify that on this date, I caused the foregoing to be served on the following person by ECF filing

Erich Dryden
Assistant Attorney General
Office of the Attorney General of Texas
Post Office Box 12548
Austin, Texas 78711-2548

/s/ Peter Walker
Peter Walker

Dated: October 26, 2015

CERTIFICATE OF CONFERENCE

I hereby certify that I have conferred with counsel for Respondent, Assistant Attorney General Erich Dryden, who indicated he does not oppose this motion.

/s/ Peter Walker
Peter Walker

Dated: October 26, 2015